

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

PAMELA G. CAPPETTA

Plaintiff,

v.

GC SERVICES, LP

Defendant.

Civil Action No. 3:08cv288

**MOTION FOR RETURN OF INFORMATION
PRODUCED IN DISCOVERY**

Defendant GC Services, LP (“GCS”), by counsel, respectfully requests that the Court enter an Order compelling Plaintiff to return to: (1) return to GCS all of the information produced in discovery related to the 566,000 Accounts assigned to GCS by American Express for collection that does not contain information related to the members of the certified class; and (2) destroy any documents that contain information obtained from Plaintiff or her counsel’s review or analysis of this information.

Further grounds supporting this Motion are set forth in GC Services’ Memorandum in Support of Motion for Return of Information GC Services, LP Produced in Discovery, filed contemporaneously herewith.

Dated: December 7, 2009

Respectfully submitted,

GC SERVICES, LP

By: _____/s/

Charles M. Sims, Esq. (VSB No. 35845)

John “Jack” M. Robb, III, Esq. (VSB No. 73365)

LeClairRyan, A Professional Corporation

Riverfront Plaza, East Tower
951 East Byrd Street, 8th Floor
Post Office Box 2499
Richmond, Virginia 23219
(804) 915-4138 Telephone
(804) 916-7238 Facsimile
jack.robbs@leclairryan.com
Charles.Sims@leclairryan.com

David M. Schultz, Esq.
Todd Stelter, Esq.
Hinshaw & Culbertson, LLP
222 N. LaSalle Street, Suite 300
Chicago, IL 60601
Telephone: (312) 704-3527
Facsimile: (312) 704-3001
dschultz@hinshawlaw.com
tstelter@hinshawlaw.com

Brian P. Brooks, Esq.
O'Melveny & Myers LLP
1625 Eye Street, NW
Washington, D.C. 20006
(202) 383-5127 Brooks
BBrooks@omm.com
Counsel for Defendant GC Services, LP

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of December, 2009, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Leonard A. Bennett, Esq.
Matthew J. Erausquin, Esq.
Consumer Litigation Associates, P.C.
3615-H Chain Bridge Road
Fairfax, Virginia 22030
Telephone: (703) 273-7770
Facsimile: (888) 892-3512
lenbennett@cox.net
matt@clalegal.com

Jason M. Krumbein, Esq.
Krumbein Consumer Legal Services, Inc.
1650 Willow Lawn Drive, Suite 300
Richmond, Virginia 23230
Telephone: (804) 673-4358
Facsimile: (804) 673-4350
KrumbeinLaw@gmail.com

Richard J. Rubin, Esq.
1300 Canyon Road
Santa Fe, New Mexico 87501
Telephone: (505) 983-4418
Facsimile: (505) 983-2050
dickrubin@cs.com
Counsel for Plaintiff Pamela G. Cappetta

/s/

John "Jack" M. Robb, III, Esq. (VSB No. 73365)
LECLAIRRYAN, A PROFESSIONAL CORPORATION
951 East Byrd Street, 8th Floor
Post Office Box 2499
Richmond, Virginia 23219
(804) 915-4138 Telephone
(804) 916-7238 Facsimile
jack.robb@leclairryan.com
Counsel for Defendant GC Services, LP